



CITY OF KIRKLAND

Planning and Community Development Department

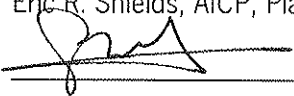
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225

www.ci.kirkland.wa.us

ADVISORY REPORT

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Eric R. Shields, AICP, Planning Director

From:  Sean LeRoy, Project Planner

Date: January 11, 2011

File: **ZON10-00029 – TEMPORARY USE PERMIT FOR TENT CITY 4
KIRKLAND CONGREGATIONAL CHURCH AND SHARE/WHEEL**

I. INTRODUCTION

A. APPLICATION

1. Applicants: Kirkland Congregational Church and SHARE/WHEEL
2. Site Location: 106 5th Ave (see Attachment 1)
3. Request: Temporary Use Permit (TUP) to locate a homeless encampment called Tent City 4 (TC4) within the parking lot of Kirkland Congregational Church for a period of 92 days from January 22, 2011 to April 23, 2011. The maximum capacity of TC4 is 100 people.

The request is to allow a dinner area, community area, storage tents and sleeping tents along with a portable shower, portable toilets, television, kitchen, wash basin and garbage dumpsters. A six-foot tall sight obscuring fabric fence is proposed around the perimeter of the entire church property. This proposal however shall be modified at the time of encampment, if not prior, to place 6' tall sight obscuring fabric fencing around the encampment only.

See Attachment 3 for the co-applicants' description of the project which includes an operational overview, utilities, food, security, TC4 code of conduct, and transportation.

4. Review Process: A TUP is requested per Kirkland Zoning Code (KZC) Chapter 127. A decision is made by the Planning Director.

B. RECOMMENDATIONS

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, I recommend approval of this application with the site plan and project description submitted by the co-applicants in Attachments 2 and 3, subject to the following conditions:

1. SHARE/WHEEL'S TC4 shall be limited to the maximum duration allowed by KZC Section 127.30.2.b which is 92 days. Based on a move in date of January 22, 2011, TC4 should leave the Church property by April 23, 2011.
2. The following performance and development standards pursuant to KZC Section 127.25 must be met by SHARE/WHEEL'S TC4:

a. Health and Safety

- (1) SHARE/WHEEL'S TC4 shall permit daily inspections by Seattle/King County Public Health to check compliance with the standards for homeless encampments.
- (2) SHARE/WHEEL'S TC4 shall comply with Washington State and City Codes including those concerning, but not limited to, drinking water connections, human waste, solid waste disposal, electrical systems, and fire resistant materials.
- (3) SHARE/WHEEL'S TC4 shall permit frequent inspections by City inspectors to check compliance with the standards for homeless encampments and shall implement all directives from the inspectors within a specified time period.
- (4) SHARE/WHEEL'S TC4 shall prohibit littering at the encampment and shall regularly conduct litter clean-up patrols in the immediate vicinity of the encampment.
- (5) Open Flames are not permitted.

b. Conduct and Security

- (1) The TC4 residents shall adhere to the "Code of Conduct" submitted as part of the application to this TUP (see Attachment 3).
- (2) No animals shall be permitted in TC4 except for service animals.
- (3) SHARE/WHEEL is responsible for enforcing the Code of Conduct.
- (4) Quiet hours at TC4 shall be between 9:00 PM and 8:00 AM. During this time, activities in TC4 shall be limited to prevent disturbance to surrounding residential properties.
- (5) SHARE/WHEEL'S TC4 shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements of the Kirkland Police Department related to identified sex offenders, or prospective residents with warrants shall be met.
- (6) SHARE/WHEEL'S TC4 shall immediately contact the City of Kirkland Police Department if the reason for rejection or ejection of an individual from the encampment is for an active warrant or a match on the sex offender check, or if in the opinion of the

encampment, the rejected/ejected person is a potential threat to the community.

Other individuals who are turned away from camp shall be handled as follows: 1) SHARE/WHEEL'S TC4 security workers shall walk the individual to the bus stop and wait with them until the bus arrives; or 2) a camp vehicle shall be used to drive the individual to the closest available bus service; or 3) a taxi or volunteer driver shall be called and TC4 security workers shall be available to wait with the person. Taxi vouchers shall be available from SHARE/WHEEL when buses are not operating.

- (7) SHARE/WHEEL'S TC4 shall not register children under 18 to stay overnight at the homeless encampment. If a child under the age of 18, either alone or accompanied by a parent or guardian, attempts to stay at the homeless encampment, SHARE/WHEEL shall immediately contact Child Protective Services, and endeavor to find alternative shelter for the child and any accompanying parent(s) or guardian(s).
- (8) SHARE/WHEEL may be contacted at (206) 448-7889 for complaints regarding TC4.

c. Parking and Transportation

- (1) The total number of vehicles associated with SHARE/WHEEL'S TC4 shall not exceed five vehicles and shall be provided at the First Baptist Church parking lot one block away to the north and may be parked in the City Hall parking lot during non-work hours.
- (2) City of Kirkland employees who previously parked at the Kirkland Congregational Church parking lot may park at the Baptist Church parking lot at 7th Ave and 1st Street or on-street south of 6th Ave.
- (3) People utilizing the Kirkland Congregational Church building shall in spaces bordering the building's west entrance on 1st Street, in on-street spaces bordering City Hall, or in the City Hall parking lot during non-work hours.
- (4) All TC4 residents shall be provided with bus tickets as needed.

d. General Standards

- (1) The encampment shall be located at least 20 feet from all property lines.
- (2) A sight-obscuring fence shall be required as shown in Attachment 2 and described in Section II.D.1.a below. If, after installation, the proposed double-layered fabric fence does not obscure views of TC 4 and/or does not hold up in inclement weather, the applicant shall work with City to install a replacement fence that meets City standards.

- (3) Any exterior lighting shall be directed downward and contained within the homeless encampment.
 - (4) The maximum number of residents is 100.
- 3. The City may void this permit pursuant to KZC Section 170.50 if there are repeated violations of any aspect, including conditions of approval or performance and development standards, of the permit.
- 4. At least by the end of the TUP period (April 23, 2011), the site shall be returned to its original condition by the co-applicants. The co-applicants shall reimburse the City for any expenses incurred by the City in abating the temporary use (see Attachment 4).
- 5. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Fire and Building Code. It is the responsibility of the co-applicants to ensure compliance with the various provisions contained in these ordinances. Attachment 5, Development Standards, is provided in this report to familiarize the co-applicants with some of the additional development regulations.

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

- 1. Site Development and Zoning
 - a. Facts:
 - (1) Size: The size of the area proposed to be occupied by SHARE/WHEEL'S TC4 is approximately 13,000 square feet or 0.31 acres (not including setback areas). The Church property is 40,879 square feet or 0.94 acres in size.
 - (2) Land Use: Church
 - (3) Zoning: RS 5.0 (low density residential)
 - (4) Terrain and Vegetation: The area in which TC 4 is being located (including required parking) contains a surface parking lot with some lawn area.. The majority of the lot's trees are around the perimeter of the property and the trees that are within the encampment will not be disturbed during encampment.
 - b. Conclusions: The area of the encampment is a small fraction (approximately 30%) of the total site area of the church. There will be little site disturbance because the tents and other TC 4 structures and uses will be placed in vacant areas of the property.

2. Neighboring Development and Zoning

a. Facts:

North – RS 5.0, Single-family residences separated from the Church property by a 16-foot wide alley running east/west

East – RS 5.0, A driveway separates subject property from adjoining Church property

South – PLA 7A, City Hall

West – RS 5.0, Single-family residences

b. Conclusion: Except for the east and south sides, the church and encampment site is bordered by single-family residential uses. TC4 shall be subject to the requirements for temporary uses found in KZC Chapter 127. Section II.D below contains an analysis of the City's requirements and the proposed encampment.

B. HISTORY

SHARE/WHEEL'S TC4 current proposal marks the third such request at Kirkland Congregational Church, once in 2005 and once in 2008. In each case a Temporary Use Permit was approved by the Planning Director.

C. STATE ENVIRONMENTAL POLICY ACT (SEPA)

1. Fact: This application is exempt from SEPA per WAC 197-11 800(1) Minor construction.

2. Conclusion: The applicant and City have met the requirements of SEPA.

D. APPROVAL CRITERIA

1. Section 127.20 – Criteria for Granting a Temporary Use Permit

The City may grant a temporary use permit only if it finds that:

- The proposed temporary use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the immediate vicinity; and
- The proposed temporary use is compatible with existing land use in the immediate vicinity; and
- The proposed temporary use or site plan is not otherwise allowable in the zone in which it is proposed.

a. Facts:

(1) Materially Detrimental: The proposal includes operational guidelines that speak to the conduct and governance of the

residents as well as health and safety issues. SHARE/WHEEL'S TC4 has a Code of Conduct with which it pledges to comply. It has two security workers on-duty at all times that check visitors at the entrance to the camp. The security workers patrol the camp and the surrounding area. An Executive Committee (the internal governing committee for TC4) member is also on-duty at all times.

The security of surrounding properties and residents or visitors is the responsibility of the Kirkland Police Department, Redmond Police Department and King County Sheriff. The law enforcement community has a joint response agreement in effect and routinely responds to requests from neighboring jurisdictions. The City has designated a Fire/Building Inspector to make frequent visits to TC4 to check-in and confirm compliance with permit conditions and standards. ID checks are conducted and logs of individuals are maintained by the encampment. KZC Section 170.50 addresses what the City should do if there are repeated violations of any aspect of a permit approved by the City.

- (2) Compatibility: The encampment has the required 20-foot setbacks required from the properties with residential uses. TC4 has also established a quiet time from 9:00pm to 8:00am. SHARE/WHEEL staff and TC4 residents have stated that concerns from neighbors may be called in to SHARE/WHEEL at any time and a response will be provided as soon as possible. The required sight obscuring fence surrounding the encampment will contain the tents and assist with privacy concerns.
- (3) Not Otherwise Allowable: Temporary housing or camps are not listed as allowed uses within any zone in Kirkland. KZC Section 5.780 defines a Residential Use as, "Developments in which persons sleep and prepare food, other than developments used for transient occupancy."

b. Conclusions: The application complies with the criteria for a TUP provided that the following actions are taken:

- (1) SHARE/WHEEL's TC 4 should check identification of incoming residents and provide the information to the King County Sheriff's Office or the City in order to check for warrants and sex offender status.
- (2) SHARE/WHEEL's TC 4 should contact the Kirkland Police Department if there is a rejection of an individual from the encampment that is a potential threat to the community. Other persons who are not accepted should be escorted to a bus stop by TC 4 security or provided a ride from a volunteer or taxi. Taxi vouchers should be made available in situations when buses are not operating.

- (3) The City should continue to have a Fire/Building inspector or other City official make frequent visits to the site to check for compliance with permit conditions.
- (4) SHARE/WHEEL's TC 4 should be held to the same standard as other residents or visitors in Kirkland in terms of their behavior in public areas.
- (5) Children, whether or not accompanied by parents or guardians, should not be allowed to stay overnight at TC 4. Child Protective Services should be immediately notified if children try to enter or accompany adults entering TC 4.
- (6) Litter should be patrolled and cleaned up as necessary by SHARE/WHEEL's TC 4.
- (7) The City should void the TUP if there are any repeated violations of the conditions of approval.
- (8) Quiet hours should be observed by the encampment residents between the hours of 9:00 PM and 8:00 AM every day.
- (9) A sturdy, six foot tall, sight-obscuring fence should be provided for separation and privacy as proposed.

2. KZC Section 127.25.2 Dimensional Requirements and Development and Performance Standards for homeless encampments

a. Facts: KZC Section 127.25.2 standards for homeless encampments are listed below:

- (1) An application for a homeless encampment must include a local church or other community-based organization as a sponsor or managing agency. *Within the disapproval jurisdiction of the Houghton Community Council, an application must include a local church as a sponsor or managing agency.*
- (2) The encampment shall be located a minimum of 20 feet from the property line of abutting properties containing residential uses.
- (3) Sight-obscuring fencing is required around the perimeter of the homeless encampment unless the Planning Director determines that there is sufficient vegetation, topographic variation, or other site conditions such that fencing would not be needed.
- (4) Exterior lighting must be directed downward and contained within the homeless encampment.
- (5) The maximum number of residents within a homeless encampment is 100.
- (6) Parking for five vehicles shall be provided.

- (7) A transportation plan is required which shall include provision of transit services.
- (8) The homeless encampment shall be located within one-half mile of transit service.
- (9) No children under 18 are allowed in the homeless encampment. If a child under the age of 18 attempts to stay at the homeless encampment, the managing agency shall immediately contact Child Protective Services.
- (10) No animals shall be permitted in encampments except for service animals.
- (11) A code of conduct is required to be enforced by the managing agency. The code shall contain the following as a minimum:
 - a) No drugs or alcohol.
 - b) No weapons.
 - c) No violence.
 - d) No open flames.
 - e) No loitering in the surrounding neighborhood.
 - f) Quiet hours.
- (12) The managing agency shall ensure compliance with Washington State and City codes concerning but not limited to drinking water connections, human waste, solid waste disposal, electrical systems, and fire-resistant materials.
- (13) The managing agency shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by the Kirkland Police Department related to identified sex offenders or prospective residents with warrants shall be met.
- (14) The managing agency shall permit daily inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.

The applicant has submitted a written response to the above listed standards (see Attachment 3).

- b. Conclusions: Based on a review of the applicant's proposal, Staff has determined that the applicant's proposal is consistent with the required standards found in KZC Section 127.25. Therefore, the TUP should be contingent on the applicant following through on the proposal so that the standards in KZC Section 127.25 are met.

3. KZC Section 127.30 Frequency and Duration of Temporary Use

- a. Facts: KZC Section 127.30.1 states that the City may not grant a temporary use permit at the same site more frequently than once in every 365-day period. The City may only grant a temporary use permit for a

specified period of time, not to exceed 60 days. For homeless encampments, the time period cannot exceed 92 days.

The applicant is proposing to host TC4 for a period of 92 days from January 22, 2011 to April 23, 2011.

- b. Conclusions: The City may approve a TUP for TC4 at Kirkland Congregational Church for up to 92 days. The applicants proposed dates for TC4 is consistent with this code requirement.

4. KZC Section 17.35 Removal of Temporary Use

- a. Facts: Section 127.35 requires the City to designate a deadline for removal of the temporary use and to ensure that if the use is not removed, the applicant will pay 100% of the cost for the City to remove the temporary use.

As part of the application materials, the City received a signed and notarized agreement 'Temporary Use Permit' which specifies an agreement for the removal of a temporary use.

- b. Conclusions: The application complies with KZC Section 127.35.

E. DEVELOPMENT REVIEW

- 1. Fact: Additional comments and requirements placed on the project are found as development standards listed in Attachment 5.
- 2. Conclusion: The applicant should follow the requirements in Attachment 5.

III. APPEALS

There is no administrative appeal of the Planning Director's decision for a temporary use permit. The action of the City in granting or denying an application under this chapter may be reviewed pursuant to the standards set forth in RCW 35.70C.130 in the King County Superior Court. The land use petition must be filed within 21 calendar days of the issuance of the final land use decision of the City. For more information on the judicial process for land use decision, see Chapter 36.70C RCW.

IV. APPENDICES

Attachments 1 through 6 are attached.

- 1. Vicinity Map
- 2. Site Plan
- 3. Code of Conduct
- 4. Temporary Use Agreement
- 5. Development Standards
- 6. Applicant Response to Criteria

Review by Planning Director:

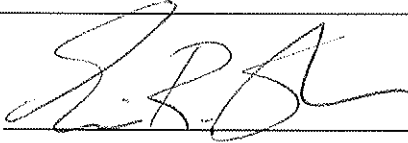
I concur

☒

I do not concur

☐

Comments: _____



Eric R. Shields, AICP, Planning Director

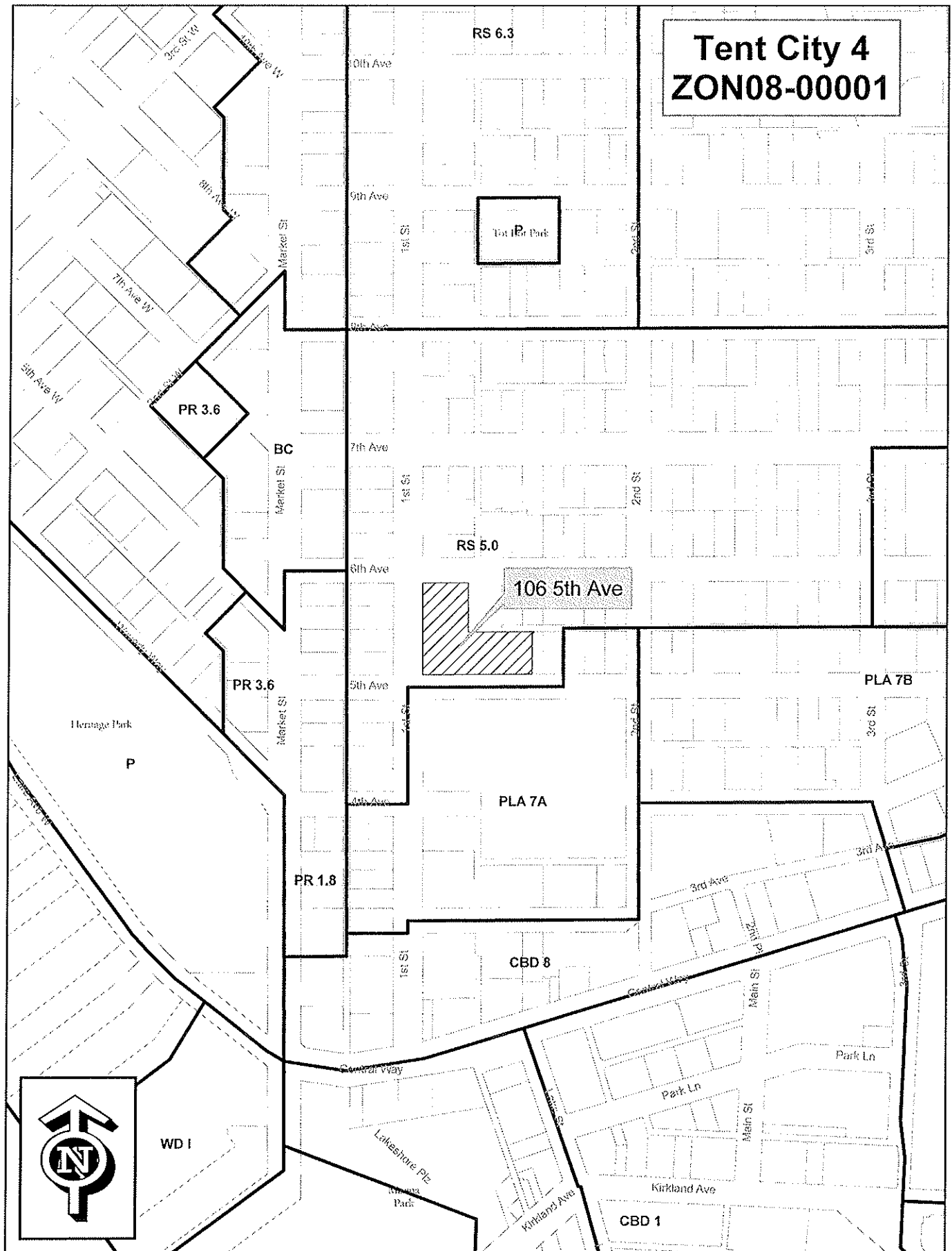
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Date

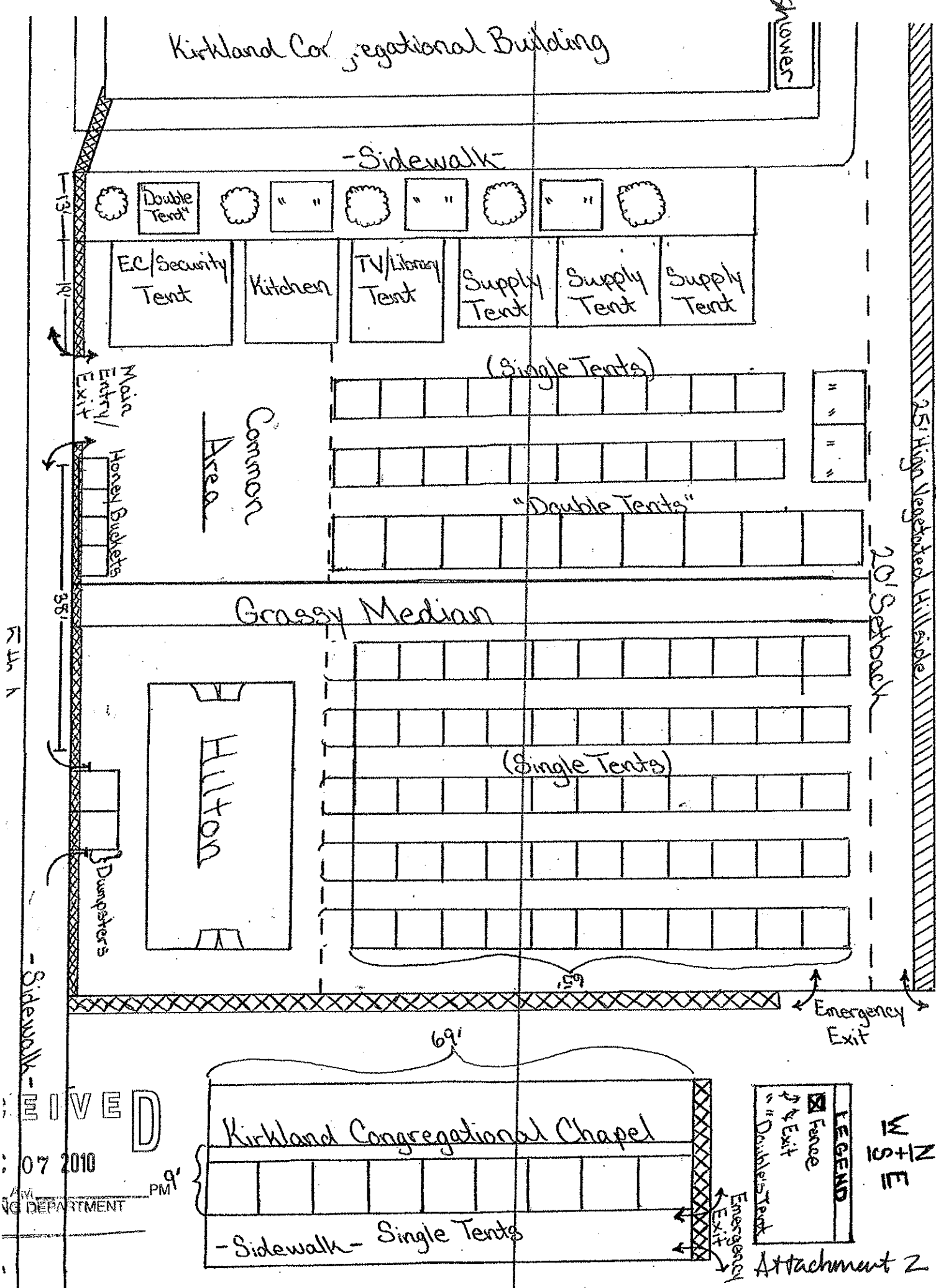
CC:

Kirkland Congregational Church, 106 5th Ave, Kirkland, WA 98033

Scott Morrow, SHARE/WHEEL, PO Box 2548, Seattle, WA 98111



TC4 Kirkland Congregational Church (January 22, 2011 - April 23, 2011)



SHARE/WHEEL
TENT CITY4

RECEIVED
DEC 07 2010
AIA
PLANNING DEPARTMENT PM
BY _____

CODE OF CONDUCT

WE, THE PEOPLE OF SHARE/WHEEL,
IN ORDER TO KEEP A MORE HARMONIOUS COMMUNITY,
ASK THAT YOU OBSERVE THE FOLLOWING CODE OF CONDUCT:

SHARE/WHEEL'S TENT CITY4 IS A DRUG AND ALCOHOL FREE ZONE.
THOSE CAUGHT DRINKING OR USING DRUGS
WILL BE ASKED TO LEAVE. SOBRIETY IS REQUIRED.

NO WEAPONS ARE ALLOWED.
KNIVES OVER 3-1/2 INCHES MUST BE CHECKED IN.

VIOLENCE WILL NOT BE TOLERATED.
PLEASE ATTEMPT TO RESOLVE ANY CONFLICT
IN A CREATIVE AND NONVIOLENT MANNER.

DEGRADING ETHNIC, RACIST, SEXIST OR HOMOPHOBIC REMARKS ARE
NOT ACCEPTABLE. NO PHYSICAL PUNISHMENT, VERBAL ABUSE OR
INTIMIDATION WILL BE TOLERATED.

WE ARE A COMMUNITY.
PLEASE RESPECT THE RIGHTS AND PRIVACY
OF YOUR FELLOW CITIZENS.

NO MEN IN THE WOMEN'S TENTS.
NO WOMEN IN THE MEN'S TENTS.
NO OPEN FLAMES.
NO LOITERING OR DISTURBING NEIGHBORS.
NO TRESPASSING.

ATTENDANCE OF AT LEAST ONE OF THE SEVERAL COMMUNITY
MEETINGS HELD THROUGH THE WEEK IS REQUIRED.
DAYS AND TIMES WILL BE POSTED SO THAT YOU MAY WORK IT INTO
YOUR SCHEDULE.

IF THESE RULES ARE NOT RESPECTED AND ENFORCED
TENT CITY4 MAY BE PERMANENTLY CLOSED.

Attachment 3



TEMPORARY USE PERMIT

File Number: ZON10-00029
 Parcel: 388580-8250
 Issued to: SHARE/WHEEL & Kirkland Congregational Church
 For: Tent City 4

Finding that the proposed Temporary Use:

1. Will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity, and;
2. Will be compatible with existing land use in the immediate vicinity, and;
3. Is not otherwise allowable in the zone in which it is proposed.

The City of Kirkland approves the Temporary Use for the period beginning on Jan 22, 2011 and expiring on April 23, 2011 and subject to the following conditions:

1. SEE PERMIT ZON10-00029 FOR ALL CONDITIONS
- 2.
- 3.

The City shall not grant another Temporary Use Permit to this user for 365 days following the above expiration date.

[Signature]
 Eric Shields, Planning Director

1/12/11
 Date

The decision of the Planning Director may be appealed using the appeal provision, as applicable, or Process I Zoning Code Sections 145.60 through 145.110.

AGREEMENT FOR REMOVAL OF TEMPORARY USE

(Record after 69 days if temporary use is not removed.)

Parcel Data File: _____

THE UNDERSIGNED acknowledge that application has been made to the City of Kirkland for:

Project Name: TC4

Project Address: 106 E Ave, Kirkland WA 98033

for the proposed development of the hereinafter described real property.

THE UNDERSIGNED warrant to the City of Kirkland that they are all the owners of the real property hereinafter described with full power to enter into agreements and/or covenants which will run with the land.

Start-up Date of Temporary Use: Saturday, Jan 22, 2011

Expiration Date of Temporary Use: Saturday, April 23, 2011

To insure actual removal of the temporary use Permit No. ZON10-00029 should said temporary use and all physical evidence of said use not be removed by the applicant within 92 calendar days after the first day of operation of the temporary use, THE UNDERSIGNED agree to pay for 100 percent of the City's cost to remove said temporary use, plus all administrative and attorneys' fees associated with its removal.

THE UNDERSIGNED agree to be responsible for the full performance of this agreement and agree that any of the above-described costs to the City which are unpaid for seven days after the temporary use has been removed shall be a lien upon the real property hereinafter described. This agreement is binding upon all the owners of the real property hereinafter described and their heirs, successors and assigns, and runs with the land described as follows:

DATED at Kirkland, this _____ day of _____, _____.

Attachment 4

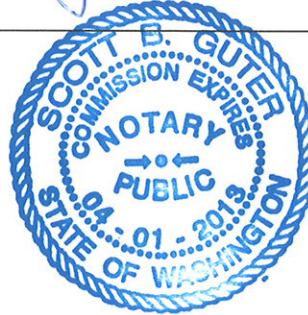
(Corporations Only)

OWNER(S) OF REAL PROPERTY

Kirkland Congregational Church
(Name of Corporation)

Rev. Jason S. Boyd
By President Pastor

By Secretary _____



(Corporations Only)

STATE OF WASHINGTON)
County of King) SS.

On this 11th day of January, 2011, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, Jason Boyd personally appeared _____ and _____ to me known to be the individual(s) described herein and who executed the Temporary Use Permit and acknowledged that _____ signed the same as he his free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Scott B. Guter
Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington, Residing at:

KING COUNTY
My commission expires: 4/1/13

The foregoing Agreement is accepted by the City of Kirkland this _____ day of _____, _____.

CITY OF KIRKLAND

BY: _____



CITY OF KIRKLAND

Planning and Community Development Department

123 Fifth Avenue, Kirkland, WA 98033 425.587-3225

www.ci.kirkland.wa.us

DEVELOPMENT STANDARDS LIST

File: ZON10-00029 – TC4 Kirkland Congregational Church

****FIRE DEPARTMENT CONDITIONS****

- 1 – An approved certification regarding flame retardancy or resistiveness of the tent material shall be retained and displayed in the tent.
- 2 – Smoking shall not be permitted in the tent. Approved "NO SMOKING" signs shall be conspicuously posted.
- 3 – One fire extinguisher, minimum rating 2A10BC, shall be provided in the tent.
- 4 – A min of two exits shall be provided from the tent. The required min clear width of exits and aisles shall be maintained.
- 5 – The min distance from the tent for the parking of automobiles or other internal combustion engines shall be 30 feet and shall be roped off.

****BUILDING DEPARTMENT CONDITIONS****

- 1 – Maintain access for the general public to the accessible routes of travel.
- 2 – Maintain exit egress from the church at all times. Two exit gates are required from the fenced enclosure at least ½ the diagonal distance apart from each other. Gates to be out-swinging and shall be readily openable from the egress side without the use of a key or special knowledge or effort.
- 3 – Shower waste water must drain to sanitary sewer (not storm).
- 4 – No open flames allowed in or near any of the temporary membrane structures (tents).
- 5 – Separate electrical permits required for any electrical work.

Attachment 5

**PERMIT APPLICATION NARRATIVE FOR
SHARE/WHEEL'S TENT CITY4 AT
KIRKLAND CONGREGATIONAL CHURCH
JANUARY 22 2011 to APRIL 23, 2011**

RECEIVED
DEC 07 2010
A.M.
PLANNING DEPARTMENT
BY _____ PM

CRITERIA SHEET QUESTIONS

1) THE EMERGENCY NEED FOR, AND VALUE TO THE PUBLIC WELFARE, OF TENT CITY 4

At least 8,300 members of the public are homeless in King County nightly. There are only 2,500 shelter beds, so the majority sleep outside, alone and in danger. Consequently, at least 29 homeless people died outside or by violence in King County in 2010.

Tent City4 helps keep some of these members of the public, who would otherwise be at great risk, together and safe. This allows its participants to store their belongings while away from camp at work and appointments, and allows participants to return at hours convenient to their work and obligations.

These successful efforts to stay together and safe have not materially harmed other members of the public, and have not injured any property or improvements in the immediate vicinity.

2) COMPATABILITY OF NEIGHBORHOOD

Under the same terms and conditions as those outlined in this application, Tent City4 was hosted by Kirkland Congregational Church in 2005 and 2008. Nearby services, transportation, jobs, government offices, and friendly neighbors have made it an excellent location.

Nearby residents, churches, and Kirkland City Government were not harmed, and will not be harmed, by the presence of Tent City4. The additional residents of Tent City4 will make the Norkirk Neighborhood a friendlier and safer place during their three month stay.

3) COMPATABILITY OF EXISTING ZONING ON SITE

Kirkland Congregational Church is a religious institution, founded 127 years ago, and is the Eastside's oldest church. It is recognized as such by the City of Kirkland, and due the religious freedoms set forth in the US Constitution, federal law, and the Washington State Constitution.

Sheltering homeless people and serving the poor is a sacred duty of this church. Kirkland Congregational Church is an open and affirming Congregation and has as its core mission sheltering and caring for poor and homeless people. It practices this daily in its hosting of numerous groups which help individuals and the community grow stronger. It is a founding member of the Kirkland Interfaith Network.

Attachment 6

Without waiving our constitutional right to practice our religion we are applying for this permit with SHARE and WHEEL in order to work cooperatively with the City of Kirkland and our neighbors.

The temporary use of Kirkland Congregational Church's parking lot for Tent City4 is compatible with the basic activities and functions of this church. Its location near services and transportation make it a good site for the Tent City4 community. The size of the encampment site here is larger than many previous sites of Tent City3 and 4.

PERFORMANCE STANDARDS

2a. Kirkland Congregational Church as sponsor and SHARE/WHEEL as managing agency are the co-applicants for this permit.

2b. The attached camp layout has the same dimensions as when Tent City4 stayed at Kirkland Congregational Church in 2005 and 2008. Both at that time and again this year, the camp layout leaves twenty feet between the camp boundaries and the property line of abutting properties containing residential uses.

2c. A sturdy, six foot tall, sight obscuring fence that is built to hold up in inclement weather shall be installed around the perimeter of the homeless encampment on the entire south and east sides of the camp. The north side of the encampment closest to the church building will also be fenced. The (site obscuring) Church Building is immediately to the West of the entire camp, and does not require a fence.

The remaining north side of the site is at the bottom of a steep, twenty-five foot embankment. A fence along this strip would not obscure the encampment from anyone. The 2005 and 2008 Kirkland Permits for Tent City4 at this site recognized this topographic fact, and did not require a fence in this area. The same topographic conditions exist today, making a fence here immaterial to site obscuring.

Both the fence and fencing material have improved in quality since 2008, and the demarcation of the camps twenty foot setback from the property line underneath the twenty-five foot vegetated embankment will be well defined and established.

2d. There will be no exterior lighting.

2e. Tent City4 will maintain a camp of 100 or fewer residents. Those seeking shelter above this number after the busses stop running will be allowed to stay until the busses start running or until daybreak. At that time they will leave, and not be eligible for return until there is an opening.

2f. Five parking spaces will be marked and set aside in the First Baptist Church of Kirkland Parking Lot one block away.

2g. All Tent City4 participants will be provided with bus tickets to be utilized for daily bus travel to work and appointments. Several bus lines, and the Kirkland Transit Center, are nearby. Food, supplies and blankets will be brought in and out by van. No campers will be allowed to park personal vehicles near the camp, with the exception of five vehicles in the nearby First

Baptist Church of Kirkland Parking Lot. Only fully operating and licensed vehicles will be permitted, by prearrangement.

2h. The Kirkland Transit Center is located within a half mile of the site. There are also several nearby bus lines.

2i. No children will be registered at the camp or become residents. Those under 18 will be turned away, except under exigent circumstances. Child Protective Services will be called within one working day of arrival.

2j. Tent City4 allows service animals only.

2k. The Tent City4 Code of Conduct is attached. It exceeds the minimum standards requested by Kirkland.

2l. Sufficient porta-potties (4) are provided by SHARE/WHEEL and are serviced three times weekly, along with a Wash Station for hand-washing and wastewater. A dumpster is provided which is dumped twice a week. Electricity is required only for nighttime light of the security tent, and for small appliances such as coffee pots, microwave, and a television. If available and permitted, electricity will also be provided for a shower and computer.

The camp will access Church electricity. No electricity is allowed in the sleeping tents. Drinking water shall be provided by using the Church's water supply.

2m. Two security workers will be on duty at all times, and will check in all visitors at the camp's sole entrance. They will patrol the grounds in the camp, and the surrounding neighborhood. An Executive Committee Member will also be on duty at all times. Security workers and the Executive Committee are responsible for ensuring that the Code of Conduct is upheld.

Kirkland Police will be informed of all individuals barred or turned away from Tent City4 who appear likely to not leave the neighborhood peacefully, or who show the potential of loitering in the neighborhood.

Tent City4 will cooperate fully in any and all criminal investigations.

Neither Tent City4 nor Tent City3 has been materially detrimental to the public welfare, or injurious to the property or improvements in their immediate vicinity.

2n. Inspectors will be welcome at any time.